

**WASHINGTON REGIONAL NETWORK
FOR LIVABLE COMMUNITIES**

Public Hearing Date: 1/16/05

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Testimony Before the Mayor and Rockville City Council:

**Support for Preliminary Development Plan at the
Twinbrook Metro Station Site**

By Stephen Wade, Program Associate
Washington Regional Network for Livable Communities
January 10, 2005

Thank you for this opportunity to testify today.

The Washington Regional Network for Livable Communities (WRN) is a non-profit organization that advocates transportation investments, land use policies, and neighborhood designs that enhance existing communities and the environment of the Washington, D.C. region, including the Maryland suburbs. WRN's goal is to create and sustain a network of walkable communities linked by quality transit and surrounded by farms and forests, with the District of Columbia as the hub of the region. WRN promotes better land use policies around Metrorail stations and important infill sites that facilitate community-enhancing development and take full advantage of regional transit services. We also have a special focus on ensuring that smart growth means greater social equity.

Accommodating more of the region's growth – meaning more people and activities close to transit and in well-designed, walkable, bikable neighborhoods, can significantly benefit these communities and is essential to improve the region's air and water quality, protect farm and forest lands, and restore the health of the Chesapeake Bay.

WRN strongly supports the Preliminary Development Plan at the Twinbrook Metro Station Site. We believe that it offers good progress in realizing a smart growth future for Rockville and Montgomery County. The plan lays out a strategy for achieving a high quality of life for existing and new residents by emphasizing good urban design, travel choices, a mix of land uses, a diversity of housing types, and a network of parks, green space and public places and amenities.

In general, the proposed height and density is consistent with the intensity of use that is appropriate to the transit-oriented development (TOD) location of the project. We are particularly pleased that MPDUs will equal 15 percent of the total number of housing units. We remain concerned that the project does not take full advantage of the Metro station site and location within the county, offering only a floor area ratio of 2.1. A good way to craft a better pedestrian environment, and gracefully add more opportunities to

live and work in this area, and reduce housing costs is to reduce parking ratios and promote alternatives to car ownership.

The Twinbrook Metro station is an important asset for creating a compact transit village along Rockville Pike and accommodating much needed housing in the I-270 corridor. Added homes and commercial space could enhance Twinbrook's role in creating a more vital transit village and guiding growth to where it is most needed and most appropriate.

The proposed mixed-use urban village offers significant environmental and social benefits to the City of Rockville and Montgomery County. By building this high quality mixed use project at the Metro station, we can relieve pressure to develop forest and farm lands, reduce traffic, and give people more affordable travel and living options in the I-270 corridor, and fully utilize our multi-billion dollar investment in the Metro system.

Thank you for the opportunity to testify.



Brenda Bean/RKV
01/12/2005 07:58 AM

To "Andrea Arnold" <andrea@smartergrowth.net>
cc mayor_council@ci.rockville.md.us
bcc
Subject Re: Comments on Twinbrook Plan

Dear Ms. Arnold,

Thanks very much for your email concerning the proposed development at the Twinbrook Metro Station site. At the public hearing on Monday, January 10th, the Mayor and Council instructed staff to keep the record open until 5:00 pm on Monday, February 7, 2005. Your comments will be placed in the file and considered as part of the official record in this matter.

Thanks again for taking the time to share your thoughts with us on this project. The Mayor and Council feel strongly about public involvement and value the input they receive. If you have any questions, please do not hesitate to contact us, or if you would like to submit additional comments while the record remains open, please feel free to do so.

Exhibit # 21

Subject: POP-2004-00009

Public Hearing Date: 1/10/05

Brenda F. Bean
Deputy City Clerk
City of Rockville
111 Maryland Avenue
Rockville, Maryland 20850
240-314-8281
email: bbean@rockvillemd.gov
fax: 240-314-8289

"Andrea Arnold" <andrea@smartergrowth.net>



"Andrea Arnold"
<andrea@smartergrowth.net>
01/11/2005 06:19 PM

To <mayor_council@ci.rockville.md.us>
cc
Subject Comments on Twinbrook Plan

Mayor Larry Giammo
Rockville City Council
111 Maryland Avenue
Rockville, MD 20850

January 11, 2005

RE: Support for Preliminary Development Plan at Twinbrook Metro Station

I am submitting comments on behalf of Solutions Not Sprawl, a citizens' alliance of individuals and civic and environmental groups throughout Montgomery County who support land use and transportation solutions that reduce sprawl and traffic. We support the Preliminary Development

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Plan for the Twinbrook Metro Station. We applaud the effort that was made to involve citizens in the planning process and the resulting plan exemplifies a well-designed, walkable, mixed use, transit-oriented community.

The City of Rockville and Montgomery County are known for their land use planning and land preservation. The Twinbrook project offers the county an opportunity to enhance transportation choices within an existing community by focusing development in an existing area with convenient access to the Metro system. This mixed used center will help meet the demand for housing in the county in a compact, walkable, transit-accessible environment. With its range of uses, variety and affordability of housing and network of green space and parks, the Twinbrook neighborhood will prove to be a desirable place to live.

We support the Twinbrook Development Plan because it accommodates our region's growth by creating mixed-use, walkable neighborhoods, fully utilizes our Metro system and meets the need for more affordable homes near transit.

Thank you.

Andrea Arnold
Grassroots Organizer





Brenda Bean/RKV
01/11/2005 08:45 AM

To appayne717@aol.com
cc mayorcouncil@rockvillemd.gov
bcc
Subject Re: Public hearing Jan. 10: Twinbrook Commons

Dear Ms. Payne,

On behalf of the Mayor and Council, thanks very much for your comments expressing satisfaction regarding the public hearing last night on the proposed Twinbrook Commons project, and the efforts of staff associated with this project. It is gratifying for the Mayor and Council to receive positive feedback regarding City processes, and staff, and we hope that your future experiences with the City will be just as rewarding.

Brenda F. Bean
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appayne717@aol.com

Exhibit # 22
Subject: POP2004-00009
Public Hearing Date: 1/10/05



appayne717@aol.com
01/10/2005 11:57 PM

To mayorcouncil@rockvillemd.gov
cc
Subject Public hearing Jan. 10: Twinbrook Commons

Kudos on the very fine meeting. Your knowledge, concerns, and questions to JBG were all on point. I particularly liked some of the suggestions that were made, like the shuttle bus. I am also impressed with the professionalism of your staff.
Good job!
Aleta Payne

(175)

Exhibit # 23

THE JBG COMPANIES

Subject: PDP2004-00009Public Hearing Date: 1/10/05VIA FACSIMILE

K-P. Heinemeyer
Acting Managing Director
Office of Property Development and Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

Re: Twinbrook Commons

Dear Mr. Heinemeyer:

As you and your colleagues are well aware, JBG has worked diligently towards securing development entitlements for the Twinbrook Metro Station land over the last two years. We have worked closely with the community, Montgomery County and the City of Rockville to build a consensus and move this project forward. The project has won numerous urban design awards and is considered a model for Transit Oriented Development. We have obtained Site Plan approval for Phase I of the project which is currently within the County and we are moving towards possible annexation of the County parcel into the City along with the approval of the Preliminary Development Plan (PDP). The total proposed development is currently 1700 residential units, 325,000 square feet of office space and 230,000 square feet of retail space.

Thus far we have been able to incorporate many of community's requested changes into the development plan; however, one issue remains a major hurdle for us in obtaining our final approvals. As you know, the proposed ground lease structure does allow for owner occupied housing. The community and City officials remain adamant about the need for a 50/50 split of apartments and condominiums in this community for the sustainability and strength of this proposed neighborhood. We concur that not only will this make this a much better community; it will also reduce the overall development period for this project and will significantly increase the value to WMATA.

We would like to meet with you as soon as possible in order to discuss how we can amend the structure of our Development Agreement to allow for the sale of some of the parcels to allow for condominium developments. We believe that we will be able to structure a proposal which will not only protect WMATA's currently budgeted income stream from this project, but also provide WMATA with some much needed capital and participation in the potential success of this project.

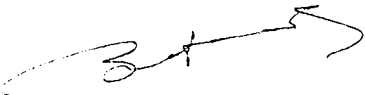
We would also request your assistance in overcoming the public perception of the lack of capacity on the Red Line to accommodate all of the development planned at this site. While we understand that only a fraction of the potential capacity is being used now, WMATA needs to provide the community and the City and County planners with a clear

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explanation of the capacity of the Metro System and its decision making process on when additional cars and headway reductions are required. Without this, the community assumes that the above densities appear to overwhelm the system in the future.

We will follow up with your staff to schedule this meeting but we are moving quickly through the City's approval process and need to address their concerns in a timely manner.

Sincerely,



Benjamin R. Jacobs
Managing Partner

Cc: Larry Giammo, Mayor, City of Rockville
Rosalyn Doggett, WMATA
Dan Hertz, WMATA
Rod Lawrence, JBG
Rob Stewart, JBG
John Kraus, JBG



THE JBG COMPANIES

4445 Willard Avenue, Suite 400
Chevy Chase, MD 20815
Phone: (240) 333-3600 Fax: (240) 333-3610

Fax

To: Larry Giammo**From:** Rod Lawrence**Fax:** (240) 314-8289**Pages:** 3 including cover page**Phone:****Date:** 1/13/05**Re:** Twinbrook Commons**CC:****Urgent**☒ **For Review****Please Comment****Please Reply****Please Recycle****• Comments:**

If this fax is illegible or incomplete, please contact:

Katie Wood (240) 333-3727

178



City of Rockville
111 Maryland Avenue
Rockville, Maryland
20850-2364
www.rockvillemd.gov

Mayor & Council
240-314-8280
TTY 240-314-8137
FAX 240-314-8289

January 13, 2005

Exhibit # 24

Subject: POPC04-00009

Public Hearing Date: 1/10/05

Chairman Robert Smith
Board of Directors
Washington Metropolitan Area Transit Authority
600 5th Street, N.W.
Washington, D.C. 20001

Chairman Smith,

I am writing on behalf of the Rockville City Council to reiterate our community's unequivocal desire for a significant percentage of the housing units within the proposed Twinbrook Commons development to be owner-occupied (i.e., condominiums). While we do appreciate that providing some rental units in any new development helps achieve a broad mix of housing opportunities, it is our collective view that it is essential to have a significant percentage of new housing units be owner-occupied in order to build a strong community.

Condominium owners/residents have a far greater stake in the long-term future of the community than renters. As a result, they are, on average, far more likely than renters to become involved in local civic matters and to participate in community activities and events. Further, condominium owners/residents have a clear motivation to maintain and invest in their properties across time.

The Rockville City Council has a policy objective to achieve a minimum of at least 50% owner-occupied housing as part of all new developments within the City of Rockville. We seek the same objective with the proposed Twinbrook Commons development. This objective is especially important in this instance, given the prominence of neighborhood stabilization concerns associated with the adjoining Twinbrook neighborhood.

We understand that JBG is very interested in purchasing land from WMATA at the Twinbrook Metro station in order to be able to include a significant percentage of owner-occupied housing as part of the proposed Twinbrook Commons development. We respectfully request that WMATA pursue with JBG such a transaction. In addition, we are prepared to work with both JBG and WMATA in order to determine a site plan configuration whereby a significant percentage of owner-occupied housing could be achieved while, at the same time, WMATA could both achieve an acceptable level of annual lease payments and retain ownership of the land closest to the actual Metro station.

MAYOR
Larry Giammo

COUNCIL
Robert E. Dorsey
John F. Hall, Jr.
Susan R. Hoffmann
Anne M. Robbins

CITY MANAGER
Scott Ullery

CITY CLERK
Claire F. Funkhouser

CITY ATTORNEY
Paul T. Glasgow

70 (79)

Chairman Robert Smith
Washington Metropolitan Area Transit Authority
1/13/05
Page 2

Timely consideration of this matter by WMATA would be beneficial and appreciated. The Rockville City Council is expected to consider the Twinbrook Commons development application at their meeting scheduled for February 22nd.

Sincerely,

LARRY GIAMMO

Larry Giammo
Mayor

cc: WMATA Board of Directors
Rockville City Council
Rockville Planning Commission
Alliance of Rockville Neighborhood Associations
Twinbrook Citizens Association
JBG
Montgomery County Planning Board

(18)



Brenda Bean/RKV
01/18/2005 12:16 PM

To L.Merrill <lori@merrill-samuelson.com>
cc mayorcouncil@rockvillemd.gov
bcc
Subject Re: Comments on Annexation/Twinbrook Commons Development

Dear Ms. Merrill:

Thanks very much for your email concerning the proposed development at the Twinbrook Metro Station site. At the public hearing on Monday, January 10th, the Mayor and Council instructed staff to keep the record open until 5:00 pm on Monday, February 7, 2005. Your comments will be placed in the file and considered as part of the official record in this matter.

Thanks again for taking the time to share your thoughts with us on this project. The Mayor and Council feel strongly about public involvement and value the input they receive. If you have any questions, please do not hesitate to contact us, or if you would like to submit additional comments while the record remains open, please feel free to do so.

Brenda F. Bean
Deputy City Clerk
City of Rockville
111 Maryland Avenue
Rockville, Maryland 20850
240-314-8281
email: bbean@rockvillemd.gov
fax: 240-314-8289

Exhibit # 25
Subject: POP2004-00009
Public Hearing Date: 1/10/05

L.Merrill <lori@merrill-samuelson.com>



L.Merrill
<lori@merrill-samuelson.com>
01/15/2005 03:08 PM

To mayorcouncil@rockvillemd.gov
cc
Subject Comments on Annexation/Twinbrook Commons Development

To the Mayor and Council of Rockville,

My name is Lori Merrill and I live at 12800 Atlantic Ave. I was present at the meeting on Tuesday the 11th for the public hearing on the Twinbrook Commons Development. I did not provide comment that night as I did not have anything vital enough to extend that very long meeting any longer. I also did not feel that I needed to testify because I was pleased with the questions being asked and the issues being raised by you. I appreciate the efforts you are putting into this matter.

I would like to share with you my priorities for the area

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around the Twinbrook metro and a few thoughts I have on annexation. My priorities are mixed use with retail, open space, some owner occupied/condo option, and moderately priced dwellings. On the face of it, my hopes for this development could/will be met regardless of whether it is in the City or remains under Montgomery County zoning. However, looking at a map and what I consider to be the bounds of my neighborhood, it makes sense for the City to annex this property. I also like being a resident of the City of Rockville and feel that it might help in the process of blending the existing neighborhood with the new development if we were all City of Rockville residents.

There are two things that prevent me from making a wholehearted recommendation for annexation. One is that I'm not sure the benefits to the City outweigh the costs so I was pleased that the Mayor asked staff for a rough calculation of this. The other thing that worries me is a sort of "horsetrading" atmosphere with implications that I don't think I quite fully understand. My impression, before the PDP came out from City staff for this development, had been that the City of Rockville was better than Montgomery County in keeping new growth on a "reasonable" scale, so it was very surprising to see increases in the project come out of the PDP. It makes me wonder what is going on behind the scenes and that gives me pause.

Thank you for your time,

Lori Merrill



Brenda Bean/RKV
01/18/2005 12:29 PM

To "David Nolan" <nolandx@hotmail.com>
a.moser@netzero.net, bengels13@comcast.net,
cc CMCNEILLY@imf.org, coburg@erols.com,
deangelj@exchange.nih.gov, dukeow@aol.com,
bcc
Subject Re: Twinbrook Commons Grocery Problem

Dear Mr. Nolan,

Thanks very much for your email concerning the proposed development at the Twinbrook Metro Station site. At the public hearing on Monday, January 10th, the Mayor and Council instructed staff to keep the record open until 5:00 pm on Monday, February 7, 2005. Your comments will be placed in the file and considered as part of the official record in this matter.

Thanks again for taking the time to share your thoughts with us on this project. If you have any questions, please do not hesitate to contact us, or if you would like to submit addition comments while the record remains open, please feel free to do so.

Brenda F. Bean
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Exhibit # 26
Subject: FDP2004-00009
Public Hearing Date: 1/10/05

"David Nolan" <nolandx@hotmail.com>



"David Nolan"
<nolandx@hotmail.com>
01/14/2005 12:09 AM

To rlawrence@jbg.com
lbozz@horningbrothers.com, robcrow@mris.com,
deangelj@exchange.nih.gov, bengels13@comcast.net,
johnhall@ci.rockville.md.us, GHersh@samhsa.gov,
jmk58@comcast.net, dukeow@aol.com,
CMCNEILLY@imf.org, lori@merrill-samuelson.com,
a.moser@netzero.net, sshive@worldbank.org,
HARRYWTHOMAS@aol.com,
cc rverchot@apcoworldwide.com,
twinbrookconcerned@yahoogroups.com,
nolanmm@state.gov, nolandx@hotmail.com,
mayorcouncil@rockvillemd.gov, michael.m.loe@kp.org,
etzeldan@comcast.net, MKaseman@aol.com,
robert.pittman@ihs.gov, tyner@starpower.net,
rcanali@comcast.net, coburg@erols.com,
ostlund_family@msn.com
Subject Twinbrook Commons Grocery Problem

Road

5905 Holland

183

Rockville, MD

20851

January 13,

2005

Rod Lawrence
JBG Companies
4445 Willard Ave
Chevy Chase, MD 20815

Dear Mr. Lawrence:

I hope you will take time to seriously consider the relatively modest ten conditions that I and 56 other Twinbrook residents have attached to our support for the Twinbrook Commons project, as I presented to the Rockville City Council on January 10. Height and density drive the impact that this development will have on our neighborhood. Your lawyer asserted that Twinbrook needs 170 foot tall buildings in order to have "an identity" and "to come into its own." For over half a century, our community has been a home for generations of families and good neighbors. Higher density housing at the Metro station may be necessary for a variety of reasons, but please do not patronize my neighborhood by promising to give us an identity.

Our conversation last Monday about your difficulties in finding a grocery store prompts me to add a critical eleventh condition to my own support for the project. As I am sure you realize, failure to attract a grocery will ruin your traffic mitigation strategy and make a mockery of your New Urbanist rhetoric. The last thing this neighborhood needs is an extra thousand cars clogging Twinbrook Parkway running to the Safeway and Giant at 6:00 PM every evening. A pharmacy or 7-11 simply will not be sufficient. In any event, there is already a CVS within walking distance of the Twinbrook Station.

Please consider a couple of suggestions. One option would be to forget supermarkets and look to the smaller store model that is alive and well in the European cities that New Urbanism seeks to emulate. A local example is Rodman's (<http://www.rodmans.com/>), a Washington area institution that supplements sales of wine, beer, and gourmet foods with a good variety of reasonably priced produce, milk, basic canned and packaged foods, and even some hardware and stationary items. The only thing it lacks is a meat department. You could also take the full European approach and recruit a series of small food stores -- a bakery, a butchery, and green grocer.

If you still want to attract a supermarket chain, a second alternative would be to let rent maximization take second place to your need to deliver on your promise not to turn our community into a traffic nightmare. There is some rent level which a grocery operator would be a fool to pass up. Lower the rent and you will find a tenant. Consider the lost rent a traffic mitigation fee.

Sincerely,

David Nolan

(184)

cc. TCA, Rockville Mayor and Council



Brenda Bean/RKV
01/20/2005 02:26 PM

To "David Nolan" <nolandx@hotmail.com>
cc nolandx@hotmail.com, mayorcouncil, Art
Chambers/RKV, Scott Parker/RKV,
bcc
Subject Re: Letters on Twinbrook Commons

Dear Mr. Nolan:

Thanks for your email and attachments. I have marked your correspondence as an exhibit for the official record in this matter.

Thanks for your interest in this project and also for taking the time to share your thoughts with us. If you would like to submit additional comments prior to February 7th, please feel free to do so.

Exhibit # 27

Subject: POP2004-00009

Public Hearing Date: 1/10/05

Brenda F. Bean
Deputy City Clerk
City of Rockville
111 Maryland Avenue
Rockville, Maryland 20850
240-314-8281
email: bbean@rockvillemd.gov
fax: 240-314-8289

"David Nolan" <nolandx@hotmail.com>



"David Nolan"
<nolandx@hotmail.com>
01/19/2005 05:16 PM

To BBean@rockvillemd.gov
cc nolandx@hotmail.com
Subject Letters on Twinbrook Commons

January 19, 2005

Brenda F. Bean
Deputy City Clerk
City of Rockville
111 Maryland Avenue
Rockville, Maryland 20850

Dear Ms. Bean:

I understand that the record on the Twinbrook Commons annexation proposal will be kept open until 5:00 pm on Monday, February 7, 2005. I previously submitted a petition signed by 57 residents of the Twinbrook neighborhood supporting annexation with conditions and a letter regarding the need to include a grocery store as an additional condition for approval of the development.

September 30, 2003

Mr. John Tyner
Land Use Committee Chair
Twinbrook Citizens Association
Rockville, MD

Dear Mr. Tyner:

My wife and I attended the July 29 presentation by JBG Companies to TCA on the Twinbrook Commons project. We also read the report in the Rockville Gazette and Carol Hannaford's report in the September 2003 edition of the TCA Voice. We discussed JBG's plans with some of our neighbors in the south Twinbrook/Halpine Village area close to the proposed development.

We support the basic concept for a higher density residential/retail/office complex on both sides of the Twinbrook Metro station. The inclusion of ground level neighborhood-oriented shopping, including a modest sized grocery store, is long overdue for this kind of development. The proposed village square on the east side of the Metro is vital for creating a community atmosphere.

Unfortunately, the proposed addition of 1,300 residential units, mostly contained in four 14 story apartment towers on the east side of the train tracks is excessive. It is grossly out of scale with the existing neighborhood and will inevitably place heavy burdens on our local transportation, educational and storm water infrastructure. The result could well be a net decline in the quality of life for our community.

Our neighborhood is made up of one and two story single-family houses, with a few four story townhouses close to the Metro station. The Montgomery County Twinbrook Sector Plan from 1992 called for the introduction of higher density residences around the Metro station, but promised to "ensure its compatibility with the adjacent Twinbrook single-family residential community." This is not supposed to be a high rise alternative to Rockville's new town center. Fourteen story apartment buildings are not compatible with our neighborhood. The project should be scaled back to about eight stories. Any high rise buildings should be confined to the west side of the tracks.

Reducing building height would have the added benefit of limiting the number of new units to around 900, which would go some way toward addressing the traffic and school crowding problems this development will bring to Twinbrook. During the July meeting, members of the community questioned JBG representatives about plans to deal with the dramatic increase in the number of cars on the road and children in the already overcrowded Twinbrook Elementary School. JBG's responses amounted to unconvincing efforts to define away problems for which they had few solutions.

JBG told us that many of the residents of their transit-oriented development will either not own cars or not drive them much if they do. But the fact is that we do not live in Manhattan. We live in a culture where there are frequently more cars than people in a household. Like many in the neighborhood, I take the Metro to work, but I also drive around Rockville. At a minimum, this project will put hundreds of extra cars on Twinbrook Parkway and Ardennes Avenue every day. Keeping the number of residential units well below 1,000 will serve to reduce the number of additional cars crowding our neighborhood streets.

When faced with their transparent failure to consider the educational demands of this new development, JBG representatives referred to a "computer model" based on the assumption that high rise housing does not lend itself to families with children. While that is certainly true, it is also true that families with young, elementary school age children can better adapt to apartment living than to those with more and older children. Whatever past data may show, the future of Rockville will be one of increasing demand for close-in housing in good school districts combined with spiraling costs for single-family houses. Those factors are already forcing more and more Rockville area families to live in apartments. JBG may envision Twinbrook Commons as a community of yuppies, dinks, and retirees. But they cannot limit the number of children and they are not going to pay the price when their computer projections fall short of reality.

Residents at the July meeting pointed out that the construction of the Twinbrook Metro Station produced flooding in the homes of Halpine Village. The 1992 Twinbrook Sector Plan also notes the history of "stormwater drainage problems" around the Metro parking lot. The JBG representatives appeared unaware of this issue and offered no plans for prevention or resolution of such problems. The fact that past flood problems originated on county land and impact on residences in the City of Rockville produced uncertainty as to responsibility.

The flooding, education, transportation and esthetic issues demonstrate that Twinbrook Commons, which will mostly be built in county jurisdiction, will be closely linked to the adjacent Halpine Village and the greater Twinbrook neighborhood in the City of Rockville. It is thus imperative that the entire project area west and north of Twinbrook Parkway be annexed to the city and regulated accordingly.

There are other problems as well. According to JBG, the fact that WMATA owns most of the land in question limits the scope for home ownership in the new residences. That means the apartments will include large numbers of transient residents with few roots or loyalties to the community. This project needs a mechanism for at least some of the new residents to become home owners.

The JBG representatives offered neighborhood residents with the prospect of sharply rising property values. Setting aside the fact that the rampant home price inflation is only beneficial to those who want to sell out and move to cheaper areas of Nebraska, development that puts pressure on land values could turn Rockville into another Bethesda. We need assurances from the city that it will not allow spiraling property taxes to drive out working families or allow rezoning in Twinbrook that would turn our homes into fodder for knock-down MacMansion operations.

I plan to raise these issues at the public hearing on October 7. I would appreciate any thoughts you and the rest of the TCA leadership may have on how we can keep this project within manageable bounds.

Regards,

David Nolan
5905 Holland Road
Rockville, MD 20851

188

April 1, 2004

The Rockville Gazette
1200 Quince Orchard Blvd.
Gaithersburg, MD 20878

To the editor:

I agree with Rockville Councilman John Hall's statement of March 30 that the purpose of possible city annexation of the Twinbrook Metro Station property should be "the preservation and enhancement of the community." I strongly encourage the Mayor and Council to once again raise concerns about the excessive building heights and density in the current JBG "Twinbrook Commons" plan. In contrast to the 8-story DoubleTree hotel and other commercial properties in the area, JBG's goal of erecting four 14-story rental apartment towers on the property is glaringly incompatible with our adjacent single-family residential community.

Although I understand that the Twinbrook Citizens Association has endorsed the project, as recently as last September 30 the group's Executive Council maintained, as do many neighborhood residents, reservations about the number of dwelling units and the project's effect on local schools. The Montgomery County zoning hearing examiner's December 24 report noted that community members, including myself, "expressed legitimate concerns that the proposed development will create traffic and possibly school crowding problems." The examiner's report emphasized that "rezoning does not preclude the Planning Board from considering, at Site Plan Review, whether scaling back on density, by reducing the heights of the buildings and the number of housing units, would be beneficial to all."

David Nolan
5905 Holland Road
Rockville, MD 20851
nolandx@hotmail.com

cc. Larry Giammo, Mayor of Rockville
John Hall, Rockville City Council
Robert Pittman, Twinbrook Citizens Association

July 28, 2004

John Hall, Rockville City Council
Harry Thomas, President, Twinbrook Citizens Association
Rockville, MD

Dear Councilman Hall and Mr. Thomas:

The presentation and material provided to TCA members by JBG Companies on the Twinbrook Commons project on July 27 indicates that the developers are following a one step forward, two steps back approach to addressing community concerns.

On the one hand, JBG representatives highlighted a new flexibility on building height by suggesting that they may possibly limit the apartment towers on the east side of the rail line to 12 stories, with Fisher Lane buildings raised to six stories and three of the five east side towers reduced to the 8-10 story range. I applaud this concession as a partial answer to the concerns raised by many of our neighbors at the July 29, 2003 TCA meeting, as well as the county zoning hearing examiner's December 24 conclusion that the Planning Board may consider "scaling back on density, by reducing the heights of the buildings and the number of housing units."

On the other hand, in a item contained in the developers' frequently-asked-questions sheet but largely undiscussed last night because we were cut short in asking questions at the presentation, JBG proposes to increase the number of residential units to 1,700 by adding an apartment tower on the west side of the rail line. This represents a 32% increase over the 1,288 units (1,114 in the county and 174 in the city) projected in JBG's presentation at the county zoning hearing last October 7 and assumed when the Montgomery County Council approved the zoning change on January 13. It is also substantially more than the planned 1,433 units reported in the local press last year. It is far more than the 900 units that I have proposed as a reasonable addition to our community.

As noted in the zoning hearing report, the purpose of reducing building height is not just esthetic. The point is also to reduce the density of the original proposal and consequently minimize resulting traffic congestion and school crowding in the Twinbrook neighborhood. Last night JBG representatives continued to dismiss these issues with "New Urbanist" rhetoric and questionable data about how apartment dwellers will not use cars or have children. With this hefty increase in the number of apartment units, they are now proposing to make the situation considerably worse.

Last night I told JBG representatives that the new 1,700 unit projection would be a red flag for those of us concerned about the density of the project. I strongly urge the Rockville City Council and TCA to insist that JBG, at a minimum, return to the 1,288 unit proposal that was the basis for the zoning change. Moreover, JBG should be encouraged to consider ways further reduce the density of the total project to under 1,000 units.

Sincerely,

David Nolan
cc. Jacquie Kubin, The Twinbrook Voice
John Tyner, TCA Land Use Committee Chair

190

Sarajevo, December 7, 2004

John Hall
Rockville City Council
Rockville, MD

Dear John:

I saw Monday's Post article about residential development in our area, thanks to Giselle Hersh. It highlights the outsized dimensions of the JBG Twinbrook Commons project in the face of what even developers are now predicting could be a luxury apartment glut on the Pike. Compare the numbers:

Congressional Village: 404 units
Congressional Plaza: 164 units
Rockville Town Center: 632 units
Twinbrook Commons: 1,700 units

Note that the Twinbrook figure now being publicized represents a 32% increase from the 1,288 units (in both the city and the county) projected in JBG's presentation at the county zoning hearing that Harry Thomas and I attended on October 7, 2003.

The residents of Twinbrook should not be expected to stand by while our neighborhood is overwhelmed by 12 or 14-story towers masked by nothing more than soothing "New Urbanist" rhetoric assuring us that apartment dwellers will not drive cars on Ardenes Avenue or sends kids to Twinbrook Elementary.

I understand from the Rockville Gazette (<http://gazette.net/200449/rockville/news/247952-1.html>) that the Rockville Planning Commission will be looking at annexation and zoning in mid-December. It is imperative that we use this opportunity to pull JBG back in line with the development going on elsewhere in our community. I would recommend:

Eight story-maximum buildings with no more than 1,000 residential units for the entire project and no reduction in green or business space.

Development is inevitable. Smart growth is good. Green space is necessary. Mixed residential-retail zoning is long overdue common sense. But let's keep it to a Rockville scale, as defined by our new Town Center. And let's demand realistic, forward-looking plans for dealing with the impact on our streets and schools.

Sincerely,

David Noian
Holland Road, Rockville, MD

cc. Twinbrook Citizens Association
Rockville City Council
Rockville Planning Commission

5905 Holland Road
Rockville, MD 20851

January 13, 2005

Rod Lawrence
JBG Companies
4445 Willard Ave
Chevy Chase, MD 20815

Dear Mr. Lawrence:

I hope you will take time to seriously consider the relatively modest ten conditions that I and 56 other Twinbrook residents have attached to our support for the Twinbrook Commons project, as I presented to the Rockville City Council on January 10. Height and density drive the impact that this development will have on our neighborhood. Your lawyer asserted that Twinbrook needs 170 foot tall buildings in order to have "an identity" and "to come into its own." For over half a century, our community has been a home for generations of families and good neighbors. Higher density housing at the Metro station may be necessary for a variety of reasons, but please do not patronize my neighborhood by promising to give us an identity.

Our conversation last Monday about your difficulties in finding a grocery store prompts me to add a critical eleventh condition to my own support for the project. As I am sure you realize, failure to attract a grocery will ruin your traffic mitigation strategy and make a mockery of your New Urbanist rhetoric. The last thing this neighborhood needs is an extra thousand cars clogging Twinbrook Parkway running to the Safeway and Giant at 6:00 PM every evening. A pharmacy or 7-11 simply will not be sufficient. In any event, there is already a CVS within walking distance of the Twinbrook Station.

Please consider a couple of suggestions. One option would be to forget supermarkets and look to the smaller store model that is alive and well in the European cities that New Urbanism seeks to emulate. A local example is Rodman's (<http://www.rodmans.com/>), a Washington area institution that supplements sales of wine, beer, and gourmet foods with a good variety of reasonably priced produce, milk, basic canned and packaged foods, and even some hardware and stationary items. The only thing it lacks is a meat department. You could also take the full European approach and recruit a series of small food stores -- a bakery, a butchery, and green grocer.

If you still want to attract a supermarket chain, a second alternative would be to let rent maximization take second place to your need to deliver on your promise not to turn our community into a traffic nightmare. There is some rent level which a grocery operator would be a fool to pass up. Lower the rent and you will find a tenant. Consider the lost rent a traffic mitigation fee.

Sincerely,

David Nolan

cc. TCA, Rockville Mayor and Council



Brenda Bean/RKV
01/24/2005 08:16 AM

To "Stanley A. Klein" <sklein@cpcug.org>
cc clerk@rockvillemd.gov, mayorcouncil@rockvillemd.gov,
Art Chambers/RKV, Scott Parker/RKV
bcc
Subject Re: Statement on Twinbrook Commons

Dear Mr. Klein,

We have your email and attachment, and your correspondence has been marked as an exhibit and placed into the official file in this matter.

Thanks very much for your interest and also for taking the time to share your thoughts with us.

Brenda F. Bean
Deputy City Clerk
City of Rockville
111 Maryland Avenue
Rockville, Maryland 20850
240-314-8281
email: bbean@rockvillemd.gov
fax: 240-314-8289

Exhibit # 28
Subject: POP2004-00009
Public Hearing Date: 1/10/05

"Stanley A. Klein" <sklein@cpcug.org>



"Stanley A. Klein"
<sklein@cpcug.org>
01/22/2005 04:55 PM

To clerk@rockvillemd.gov, mayorcouncil@rockvillemd.gov
cc
Subject Statement on Twinbrook Commons

I was out-of-town for the hearing on January 10. I've attached a statement for the record of that hearing.

Stan Klein

--



twinbrook-commons-statement.pdf

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**Stanley A. Klein
7 Lorre Court
Rockville, Maryland 20852**

**Statement on Twinbrook Commons
For the record of the
Mayor and Council Hearing
Held January 10, 2005**

I am commenting both as a resident of the Montrose neighborhood and as a member of the Traffic and Transportation Commission.

The outreach conducted by the applicant was limited to the east side of Rockville Pike. Until the week prior to the Traffic and Transportation Commission consideration of the project, there was no outreach on the west side. I had tried to alert both City staff and the applicant of possible traffic concerns on the west side much earlier, but there was no action taken.

The impacts of this development on the west side of Rockville Pike were addressed only in very limited ways during the traffic studies. Although I began to request information almost a year ago, I received detailed information only in preparation for the Traffic and Transportation Commission Step 10 process.

The CTR requires analysis of cut-through traffic in potentially affected neighborhoods. Montrose has a history of a child killed and another child seriously injured by cut through drivers, so we are sensitive to this issue. During the late 1980's consideration of the Rockville Pike plan, potential mitigations were investigated and found to be seriously damaging to basic neighborhood access. The cut through situation in the neighborhood is currently regarded as acceptable, but it is rather precarious and dependent on driver habits that could change if congestion gets significantly worse.

Based on information supplied by staff, approximately a third of the traffic from Twinbrook Commons will be headed to or from I-270 or Executive Boulevard and will use streets adjacent to the Montrose neighborhood to access those locations. Unfortunately, daily traffic volumes are not provided in the traffic studies, although they are the basis of the City's neighborhood traffic control policies. I roughly estimated the daily volume of Twinbrook Commons traffic on those streets at around 4000 cars per day. It is my recollection from past studies that Rollins Avenue and East Jefferson Street carry about 12000 to 15000 cars per day. There is no estimate for Halpine Road, although its volume is growing. The Twinbrook Commons traffic represents a possible increase in volume on those streets by up to a third.

In my view, all intersections along East Jefferson Street from Congressional Lane to Montrose Road need to be carefully studied, as well as potential cut through traffic in the Montrose neighborhood. Only the intersection at Rollins Avenue was considered in the studies previously performed. The County has mitigations recently implemented, such as the double right turn at Montrose and East Jefferson, and is planning to build the Montrose Parkway. However, those mitigations are also intended to serve the Conference Center and other developments in the

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Coalition for Smarter Growth



Coalition for Smarter Growth
4000 Albemarle Street, NW
Suite 310
Washington, DC 20016
Phone: (202) 244-4408
Fax: (202) 244-4438
es@coalitionforsmartergrowth.net

Routed To:

☒ Council
☐ City Clerk
☒ City Manager

☒ City Attorney
☐ Council Support Specialist
☒ Other Art Chamber
Scott Parker

Exhibit # 29

Subject: PDF2004-00009

Public Hearing Date: 1/10/05

January 20, 2005

Mayor Giammo and Rockville Council Members
Rockville City Hall
111 Maryland Avenue
Rockville, MD 20850

Re: Red line Metrorail Capacity and Twinbrook Commons

Dear Mayor Giammo and Rockville Council members:

Thank you for the opportunity to testify last week at the public hearing concerning Twinbrook Commons. We appreciate your continued leadership on smart growth issues in the City of Rockville.

We are writing to follow up on your question regarding the current and future capacity of Metrorail. There are four reasons why we believe the Red Line has the capacity to support increases in jobs and housing around its stations.

- Metro is expanding capacity by adding 8-car trains.
- Mixing land uses reduces driving trips and increases use of other modes.
- Remaining Metro capacity is greater than remaining road capacity.
- Managing parking can further reduce overcrowding.

1. Metro is expanding capacity by adding 8-car trains

Metrorail currently operates 4- and 6- car trains. The Metro system is only using 58 percent of its design capacity, thus trains at rush hour are extremely crowded. The "Metro Matters" capital program has secured funding to run 8-car trains for 1/3 of the system beginning in 2006. This will add a system capacity of 30,000 additional passengers during peak periods and put Metro closer to operating at 75 percent maximum design capacity. This funded program will meet anticipated Red Line capacity demand through 2013. Plans for funding the next phase of the capital program to enhance capacity are currently being discussed among the member jurisdictions. Metro's 2001 Core Capacity Study showed that *Metrorail could accommodate a doubling of ridership by 2025* through operating 8-car trains on 100 percent of the system. The region needs to commit to the long-term investment in this program. We urge the City to support this funding effort. Assuring the robustness of the Metrorail system is a key competitive advantage for the City over other parts of the region.

Also, new seat configurations would allow for as many as 24 new passengers in each rail car or, for 8-car trains, 192 more passengers per train.

(195)

2. Mixing land uses reduces driving trips and increases use of other modes

The other benefit of transit-oriented development (TOD) is that more trips can be walk, bicycle, and local bus trips, *rather* than auto *or* Metro trips. TOD supports better bike and pedestrian access, and can increase ridership for more productive local bus service. The Council of Governments reports that most trips are not work trips, and involve errands to the store, daycare, dry cleaners, school, and other daily needs. The more we can make it attractive and convenient for people to convert some of those non-work driving trips into walk, bicycle or bus trips, we are easing congestion on roadways and reducing air pollution (turning a cold engine on and off generates most of the pollution in a 5-10 mile trip). More housing in the I-270 corridor will also help shorten or eliminate car trips currently being generated by long-distance commuters cutting through Rockville.

The Twinbrook Commons project will create a safer and more interesting walk to work, home and stores, thereby encouraging more people to walk, bicycle or ride transit for trips throughout the day. In the Rosslyn-Ballston Metrorail corridor of Arlington County, the addition of 30 million square feet of mixed-use development in a pedestrian-oriented environment has been achieved with only modest increases in traffic at local intersections. Car ownership and peak auto trips per household in the corridor are significantly less than the regional average. Finally, a mix of housing and jobs also adds off peak trips to Metro. Off-peak trips use under-utilized capacity and help to pay for the system.

3. Remaining Metro capacity is greater than remaining road capacity

The Metrorail system has significant excess capacity in the “reverse-commute” direction. The Red Line is virtually empty running outbound in the morning and in-bound in the evening. By focusing both office and residential development at suburban Metrorail stations, we will be able to utilize this excess capacity and take cars off of the road. The Rosslyn-Ballston Metrorail corridor has achieved significant bi-directional Metro ridership during both peak and off-peak periods.

Vehicle miles traveled (VMT) has been rising at 2 to 3 times the rate of our population growth, because scattered development is increasing the amount people must drive. The expansion of I-270 to 12-lanes shifted auto-dependent development to the corridor causing the highway to fill with traffic in just 8 years rather than the 20 years predicted. Fortunately, according to the Texas Transportation Institute (TTI), our investment in Metrorail has reduced congestion. TTI estimates that our delays would have been 50% longer had we not invested in Metrorail, and WMATA estimates that Metro is carrying the equivalent of 1400 lane-miles of traffic. Transit-oriented development like the Twinbrook Commons project offers an opportunity to reduce growth in vehicle miles traveled and vehicle trips, greatly benefiting the region in terms of traffic congestion and air quality.

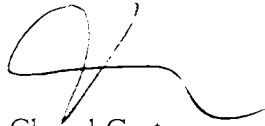
4. Managing parking can further reduce overcrowding

A first-come first-serve system of parking is responsible for much of the peak crush period in the Metro system because everyone who wants to park needs to arrive before 8 am – even if he/she could arrive later to get to a job on time. This puts all those riders on the system at one time.

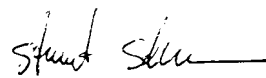
Parking management can reduce peak period overcrowding and give better choices to riders. Implementing a pricing policy based on market demand so that parking is available later in the day will reduce overcrowding and increase travel choice. We recommend that any added parking capacity at the Twinbrook Metro station be priced so that those wishing to arrive later in the morning would have the option of finding a parking space. We have developed a "Parking Anytime" pilot program proposal for Metro's consideration and would be happy to share it with you.

Thank you again for your time in reading this information and for your appreciation of these important issues. If you have any questions, feel free to contact us.

Sincerely,



Cheryl Cort
Executive Director
Washington Regional Network
For Livable Communities



Stewart Schwartz
Executive Director
Coalition for Smarter Growth

Comcast Message Center

Page 1 of 1

Subject: P0135004-00009Public Hearing Date: 1/10/05

From: kbdriscoll@comcast.net

To: mayorcouncil@rockville.gov

Subject: Twinbrook Commons high-rise

Date: Mon, 24 Jan 2005 17:27:48 +0000

Routed To:

☒ Council☐ City Clerk☒ City Manager☒ City Attorney☐ Council Support Specialist☒ Other Art ChambersScott Parker

To the Mayor and City Councilors of Rockville:

We have been residents and homeowners in Rockville since April 1969. Consequently, we are very concerned that our city's quality of life does not further deteriorate. The voters count on you to be vigilant and see that this does not happen. Our congestion on Rockville Pike is already a significant problem that remains a challenge to all who live here, as well as to those of our neighboring communities who must use it. Therefore, we were extremely dismayed to read in Rockville Reports that a 16 story high-rise is among the considerations for the Twinbrook Commons. It's a fine idea to spruce up the area around this Metro stop, but approving a plan that allows for 1,700 multifamily residences would be total insanity. The density of people, traffic, school and city services would be unmanageable. We would strongly encourage you not to bring about such an absurd situation. All of Rockville's citizens would be affected if this approval is given. We hope that our city will not become over built and unattractive as Bethesda has become. We count on you to prevent this from happening.

Please inform us when public meetings on this subject are to be scheduled.

Your response would be appreciated.

Sincerely,

Katherine B. Driscoll

John S. Driscoll

4 Infield Court South

Rockville, MD20854

[Back]

(198)



Brenda Bean/RKV
01/31/2005 11:31 AM

To kbdiscoll@comcast.net
cc mayorcouncil
bcc
Subject Your correspondence dated January 24th

Dear Ms. Driscoll,

Re: Twinbrook Commons

We received your comments, via facsimilie, on January 30th. I wanted to let you know they have been placed in the official file and will be considered as part of the record.

Thank you very much for your interest in this matter and also for taking the time to share your thoughts with us.

Brenda F. Bean
Deputy City Clerk
City of Rockville
111 Maryland Avenue
Rockville, Maryland 20850
240-314-8281
email: bbean@rockvillemd.gov
fax: 240-314-8289



Exhibit # 31

Rob Crow, CRP
Nearly 60 Million Sold

Subject: 203004-00009

Public Hearing Date: 1/10/05

February 7, 2005

Routed To:

☒ Council
☐ City Clerk
☒ City Manager

☒ City Attorney
☐ Council Support Specialist
☒ Other A. Chambers
S. Parker

Mayor and Council of Rockville

Dear Mr. Mayor,

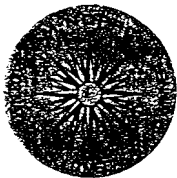
I'd like to express my support for the Twinbrook Commons development project and desire for you not to limit the scope of the JBG proposal. It makes perfectly good sense that some of the highest densities in Rockville should be at rapid transit stations and the center of town. I am for building heights up to 170-190' on both sides of the Twinbrook Metro station, although I would expect that no more than 2 buildings would reach that height on the east side of the station. The tallest buildings are to be at the metro station and tapering down from the first few buildings. The smart growth reasoning to raise heights in order to preserve green space gets my nod of approval. Creating green space is more important than covering the entire parking lot with concrete and asphalt.

The developers need density in order to draw retail establishments to the location. The concept that many residents of Twinbrook Commons will not need a car is very understandable. I can see that many residents will live there because of the direct link to downtown D.C. and the convenience of shopping within walking distance. I speak with a lot of people that live in the Kentlands community and they love the idea of living in a self-contained community. Although smaller, Twinbrook Commons is as exciting as the Kentlands and I'd love to see it utilized to its fullest potential.

Don't be fooled by a few of the more vocal residents of Twinbrook. If this project was a problem with the majority of residents, there would be a huge outcry. Most of the people that I have spoken with think that it's great for the neighborhood and are anticipating their property values will increase. The Twinbrook Commons project should bring more money into the Twinbrook community in the same fashion that the commercial development enhanced neighborhoods in Bethesda. Many builders in Bethesda are buying older, rundown homes to either put a new home in its place or perform major renovations to the existing home. This will give the community of Twinbrook much more diversity in the style of homes and enhance the overall value of the community. At the present time, we are only seeing homeowners perform renovations. We could benefit immensely from builders and speculators coming into the neighborhood.



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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Office of the Chairman, Montgomery County Planning Board

Exhibit # January 31, 2005
32

The Honorable Larry Giammo and
Members of the City Council
City of Rockville
City Hall
111 Maryland Avenue
Rockville, MD 20850

Subject: PDP2004_00009

Public Hearing Date: 1/10/05

SUBJECT: Petition for the Annexation of the Twinbrook Metro Station Site; City of Rockville Annexation Petition ANX2004-00136

Dear Mayor Giammo and City Council Members:

At the regular meeting on January 20, 2005, the Planning Board reviewed a petition to the City of Rockville by the Washington Metropolitan Area Transit Authority (WMATA) and their joint development partner, The JBG Companies, for the annexation of the Twinbrook Metro Station property. The petitioners propose to classify 16.95 acres of land zoned TS-R (Transit Station Residential) to Rockville Pike Commercial (RPC) and seek to develop the property, along with the adjacent property in the City, into a larger project known as Twinbrook Commons.

The Planning Board reviewed the staff report and testimony on this case and voted to transmit the following comments to the Mayor and City Council of Rockville as a part of the public hearing record:

1. The proposed RPC (Rockville Pike Commercial) zoning classification is not substantially different from the County's TS-R Zone and will not adversely affect the overall implementation of the approved and adopted North Bethesda-Garrett Park Master Plan.
2. The County Council does not need to review this annexation petition prior to final action by the City since the corresponding zones in the County and City permit similar uses and there are no major land use or zoning issues. The staff report, therefore, can be transmitted directly to the City of Rockville as input for the public hearing record.
3. In the event the City's current traffic standards are revised in any manner to result in less stringent traffic requirements or methodologies, the applicant shall adhere to the County standard, as long as such adherence does not conflict with the City standards.
4. Continue all County Adequate Public Facility (APF) requirements below approved under the Annual Growth Policy's Alternative Procedures for Metro Station Policy Areas:

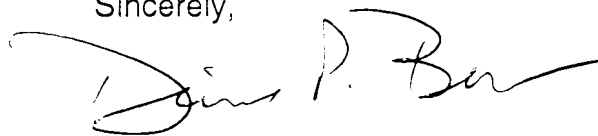
201

- a. Fund the previously identified, LATR transportation infrastructure for improvements at nearby intersections with the equivalent amount that the County would collect for the applicant's developer impact tax.
 - b. Implement the required traffic mitigation program to reduce the number of peak-hour vehicular trips generated by the land uses (during the weekday morning and evening peak periods) for a trip reduction goal of 50%.
 - c. Adjust the transportation improvements and traffic mitigation program for any change in land uses that would result in more peak-hour trips generated in the critical peak direction during the weekday peak periods (i.e., 7:00 to 9:30 a.m. and 4:00 to 7:00 p.m.).
5. Comply with the standards of the Montgomery County Department of Public Works and Transportation (DPWT), the North Bethesda/Garrett Park Sector Plan, and the Countywide Bikeways Functional Master Plan regarding the construction of master-planned roadways and bikeways and adequate pedestrian facilities. Also, comply with the urban design recommendations for streetscaping of master-planned and non-master-planned (i.e., Ardennes Avenue) roads in the Twinbrook area. Connect the County and City pedestrian and bicycle networks (i.e., from the approved Street "B" into the City's Lewis Drive).
6. Participate with the City of Rockville Transportation Management District's programs and activities that are similar to those sponsored by the North Bethesda Transportation Management District.
7. Guarantee the adequate and continuous public use for access and circulation to the annexed segment of Ardennes Avenue's right-of-way. Coordinate with all utility and DPWT representatives for the continued necessary easements regarding the utilities in their current or relocated placement. Delineate all utility easements and show them on a complete record plat of the annexed right-of-way upon completion of the annexation process.
8. Fulfill quantity and quality stormwater management requirements with the City of Rockville.

The Planning Board recommends that the applicants meet all of the binding elements in the approved Local Map Amendment and Development Plan. The Planning Board expressed concerns about the ability of the applicants to meet all of the County's APF requirements once the site is annexed into the City. The Planning Board urged the applicants to continue to work with the M-NCPPC to adhere to the transportation standards in Montgomery County unless there is a conflict with the transportation policies of the City of Rockville.

Thank you for the opportunity to comment. Attached you will find the binding elements and Planning Board recommendations for the previous plan reviews of Twinbrook Commons. We look forward to working with the City regarding the project's future land use approvals. If you have any questions, please do not hesitate to contact Kristin O'Connor (301-495-2172).

Sincerely,

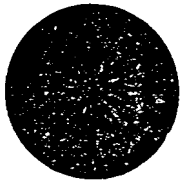
A handwritten signature in black ink, appearing to read "Derick P. Berlage". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Derick P. Berlage
Chairman

DPB:KO:ha:

Attachment

cc: Scott Parker, Planner III, City of Rockville



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Montgomery County Department of Park and Planning

January 13, 2005

MEMORANDUM

TO: Montgomery County Planning Board

VIA: John A. Carter, Chief *JAC*
Community-Based Planning Division

FROM: Kristin O'Connor, *KO* Bethesda-Chevy Chase/North Bethesda Team
Community-Based Planning Division (301/495-4555)

SUBJECT: City of Rockville Annexation Petition ANX2004-00136 located adjacent to the Twinbrook Metro Station (Ardennes Avenue and Twinbrook Parkway); 1992 North Bethesda-Garrett Park Master Plan area; Reclassification from the County's TS-R Zone to the City's RPC (Rockville Pike Commercial) Zone; 16.95 acres.

STAFF RECOMMENDATION: Approve transmittal of the following comments to the City of Rockville Mayor and City Council as part of the public hearing record:

1. The proposed RPC (Rockville Pike Commercial) zoning classification is not substantially different from the County's TS-R Zone and will not adversely affect the overall implementation of the approved and adopted North Bethesda-Garrett Park Master Plan.
2. The County Council does not need to review this annexation petition prior to final action by the City since the corresponding zones in the County and City permit similar uses and there are no major land use or zoning issues. The staff report, therefore, can be transmitted directly to the City of Rockville as input for the public hearing record.
3. Continue all County APF requirements below approved under the AGP's Alternative Procedures for Metro Station Policy Areas:
 - a. Fund the previously identified, LATR transportation infrastructure for improvements at nearby intersections with the equivalent amount that the County would collect for the applicant's developer impact tax.
 - b. Implement the required traffic mitigation program to reduce the number of peak-hour vehicular trips generated by the land uses (during the weekday morning and evening peak periods) for a trip reduction goal of 50%.

- c. Adjust the transportation improvements and traffic mitigation program for any change in land uses that would result in more peak-hour trips generated in the critical peak direction during the weekday peak periods (i.e., 7:00 to 9:30 a.m. and 4:00 to 7:00 p.m.).
4. Comply with the standards of the Montgomery County Department of Public Works and Transportation (DPWT), the North Bethesda/Garrett Park Sector Plan, and the Countywide Bikeways Functional Master Plan regarding the construction of master-planned roadways and bikeways and adequate pedestrian facilities. Also, comply with the urban design recommendations for streetscaping of master-planned and non-master-planned (i.e., Ardennes Avenue) roads in the Twinbrook area. Connect the County and City pedestrian and bicycle networks (i.e., from the approved Street "B" into the City's Lewis Drive).
5. Participate with the City of Rockville Transportation Management District's programs and activities that are similar to those sponsored by the North Bethesda Transportation Management District.
6. Guarantee the adequate and continuous public use for access and circulation to the annexed segment of Ardennes Avenue's right-of-way. Coordinate with all utility and DPWT representatives for the continued necessary easements regarding the utilities in their current or relocated placement. Delineate all utility easements and show them on a complete record plat of the annexed right-of-way upon completion of the annexation process.
7. Fulfill quantity and quality stormwater management requirements with the City of Rockville.

The applicant will meet all of the binding elements in the approved Local Map Amendment and Development Plan.

BACKGROUND AND LOCATION

The subject petition has been submitted in accordance with provisions of Article 23A of the Annotated Code of Maryland, which specifies procedures for annexation to a municipal corporation. The subject property is 16.95 acres, located adjacent to and part of the Twinbrook Metro Station. The annexation will be combined with approximately 10 acres of land that is currently within the jurisdiction of the City of Rockville to create what is referred to as "The Twinbrook Commons" project. The site is adjacent to a residential community to the north, within the City of Rockville corporate limits. The land has frontage on Ardennes Avenue and a portion of which is included within the annexation petition; Twinbrook Parkway to the west; Parklawn Drive to the south and the CSX and Washington Metropolitan Area Transit Authority (WMATA) tracks to the east. The land is currently owned and used by WMATA for the Twinbrook Metro Station, on the red line. The site is mostly paved and used as Metro parking.

The petition requests that the Mayor and Council classify the parcel as RPC, Rockville Pike Commercial (RPC). The applicants want to develop the property, along with the property in the City, with 1,706 residential units, 325,000 square feet of office, and 220,000 square feet of commercial retail.

The proposed development will require additional land use approvals from the City of Rockville. A scheduled public hearing was held on January 10, 2005 at the Mayor and City Council to discuss the annexation petition, the rezoning, and Preliminary Development Plan (PDP). A Discussion and Instruction session will be held on February 22. At this time, the proposal will undergo a new development review process and the City will make final decisions that include, but are not limited to, the number of dwelling units and the amount of commercial office and retail space.

The applicants have received prior approvals from the Montgomery County Planning Board for their proposal and they include:

1. Zoning Application No. G-810: Montgomery County Council adopted on January 13, 2004, rezoning the property from the R-90 Zone to the TS-R Zone.
2. Abandonment Case AB-660: Planning Board's hearing held on February 5, 2004, for a small portion of Parklawn Drive.
3. Preliminary Plan No. 1-04054: Planning Board approved on May 6, 2004 where the APF review was approved under the AGP's Alternative Review Procedure at Metro Station Policy Area:
 - a. Mitigation 50% of the weekday vehicular peak-hour trips if the trips were determined from separate stand-alone land uses not located nearby a Metrorail Station.
 - b. All LATR intersection improvements to be built by the County with the funds collected from the applicant's developer impact tax.
4. Site Plan No. 8-05011- Planning Board approved Phase 1 on December 9, 2004.

MASTER PLAN AND ZONING

The approved and adopted 1992 North Bethesda-Garrett Master Plan specifies that the area conforming to the WMATA property (the transit station and parking lot) be rezoned from R-90 as a base zone to TS-R, Transit Station Residential (p. 48). The site was granted TS-R zoning by the Montgomery County Planning Board in January 2004. For further detail on the TS-R Zone as it compares to the RPC Zone, please see Table 1. Overall, the TS-R Zone encourages a residential, mixed-use development that is transit-oriented. The Plan recommends no more than 60 units per acre on this property (with a maximum FAR of 1.9 with structured parking). The Plan also specifies a step down in height and significant buffering and setbacks in order to ensure compatibility with the existing Twinbrook residential neighborhood (p. 49-50).

The property is located within the City of Rockville Urban Growth Area (Attachment 3). Although very few properties have been annexed within the North Bethesda Area since the early 1990s, the redevelopment of the Metro site is noted in the 2002

Comprehensive Master Plan as having an impact on the City and therefore the entire property is recommended for annexation. The property, known as Sub-area 1 in the Plan, is recommended for the RPC Zone. The annexation of the site "was strongly recommended because of the property's proximity to the Twinbrook neighborhood and the City's desire for the station property to develop under the City's plans in its entirety" (p. 3-5). The Plan confirms the zoning for the west side of the tracks as RPC/Metro Performance District and specifies that if the east side is annexed, that the site be placed in the Metro Performance District and be zoned RPC and RPR zones and developed under the Optional Method of Development.

Table 1. Comparison of Development Standards

Items	TS-R Zone	RPC Zone +Text Amendment	County Approved Project
Lot Area	18,000 sf	10 Acres	16.95 Acres
Setbacks			
- Side	None	Equal to Building Height	Varies
- Rear	None	Equal to Building Height	Varies
Building Height	None	170'	143'
FAR	2.5	None	1.9
Dwelling Units/acre	150 du/acre	60 du/acre	60 du/acre
Open Space			
- Public Use Space	10%	Public Art Requirement	10%
- Recreational Uses	25%	None	25%

PUBLIC FACILITIES AND SERVICES

The subject property is within the Washington Suburban Sanitary Commission (WSSC) service district. Although the City of Rockville also has utilities that transverse the site with an established easement, the Twinbrook Commons development, located within this annexation area, will be served by WSSC.

Montgomery County provides no services to the property that would require compensation following annexation. There are no public facilities located on the property and neighborhood school capacity is not an issue. Any improvements necessitated by future development such as storm drains and stormwater management facilities will be the full responsibility of the applicant.

TRANSPORTATION

The Twinbrook Commons development was approved with the AGP, Alternative Review Procedures at Metro Station Policy Areas. The goal of the traffic mitigation program is to reduce the number of trips generated by the land uses by 50% during the morning and evening peak periods.

The applicant had prepared a draft Trip Reduction Agreement (TRA) to implement actions to satisfy the AGP mitigation requirements. The trip reduction actions, required in the TRA, encourage commuters to use alternative transportation modes and discourage them from driving their vehicles alone.

The Transportation Action Partnership for North Bethesda and Rockville, Inc. includes the North Bethesda Transportation Management District and Rockville Transportation Management District. Although not as established as the North Bethesda Transportation Management District, the Rockville Transportation Management District recommends participation to achieve and maintain a traffic mitigation goal. (For more information, see the Transportation Memorandum as Attachment 4.)

ENVIRONMENT

The site is not heavily wooded as it is mostly paved and used as parking for the Metro station. The applicant will meet all requirements for the Forest and Tree Preservation Ordinance (FTPO) and the Environmental Guidelines during each step of development. There are no steep slopes on this site, nor are there streams or stream valley buffers. The subject site is in the Lower Rock Creek watershed, a seriously degraded watershed, with uncontrolled runoff and impaired habitat. (See Attachment 5.)

COMMUNITY CONCERNS

In response to the residential community north of the project and the concerns of the Mayor and City Council regarding density, height, traffic, affordability, and ownership, the applicant has proposed to make additional modifications to their plans which include: reducing four, 14-story buildings to 12 stories around the village green, increasing the setback and shift the garage orientation near the townhouses, adding a green screen to parking garage facade, introducing lofts and live/work units to the residential mix, seeking a musical theatre for the development, changing an office building to residential to reduce traffic impact, providing green roofs, adding a transit resource center, and adding a community room for the Twinbrook Civic Association to meet and conduct their meetings.

COUNTY REVENUE IMPLICATIONS

The property that is petitioning for the annexation is owned by the WMATA and is a tax-exempt property. The property is not being billed for County taxes, and therefore, there is no issue related to County park taxes. (See Attachment 6 for more details.)

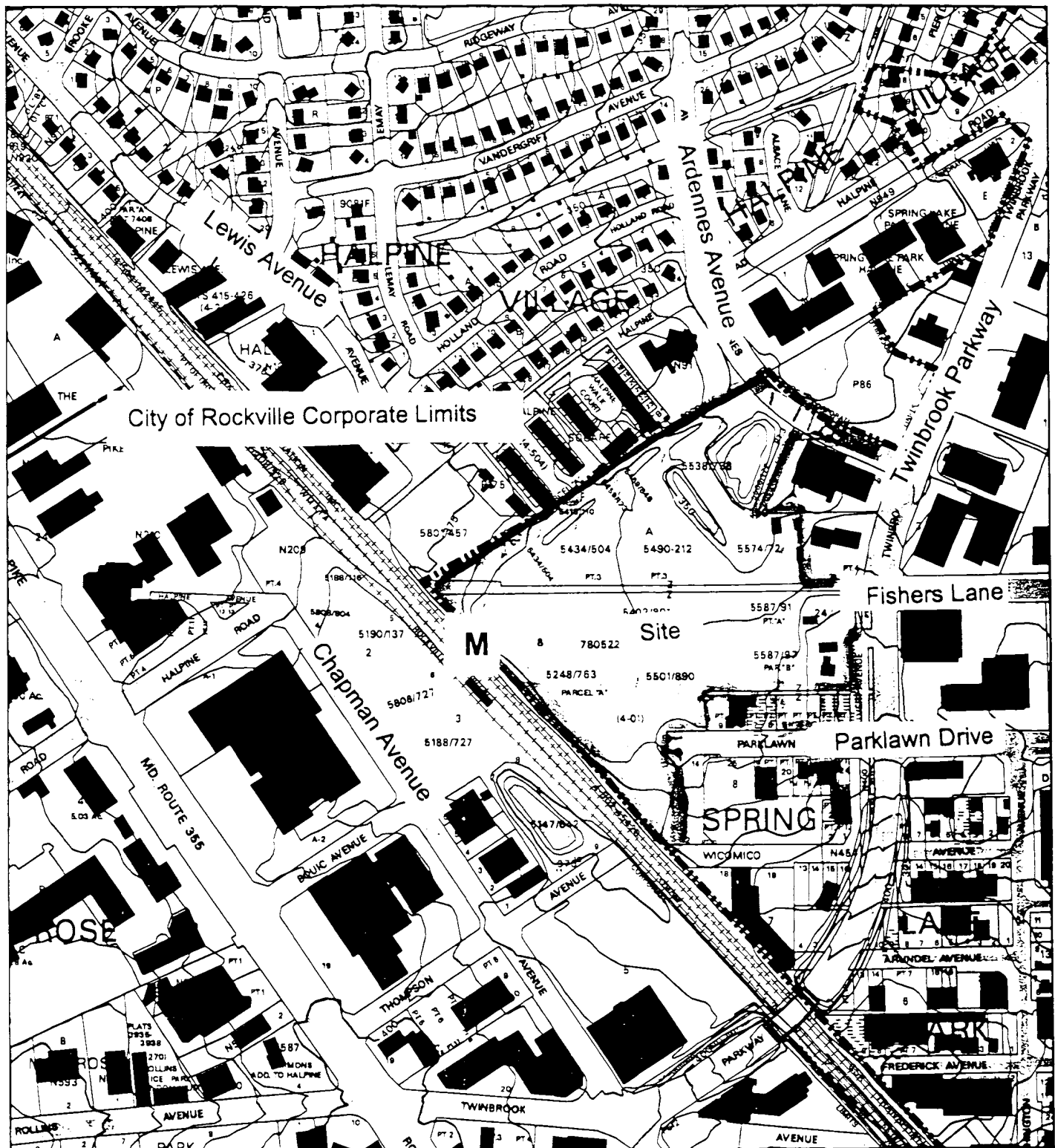
CONCLUSION

Staff recommends that the Planning Board support Annexation Petition ANX2004-00136 and the rezoning of the subject property to the City of Rockville's RPC Zone, as the land use recommendations are consistent with both the Rockville Master Plan and the 1992 North Bethesda-Garrett Park Master Plan.

Attachments

- Attachment 1: Vicinity Map
- Attachment 2: Proposed Annexation Area
- Attachment 3: Rockville Urban Growth Area
- Attachment 4: Transportation Memorandum
- Attachment 5: Environmental Memorandum
- Attachment 6: Research and Technology Division Memorandum

CITY OF ROCKVILLE ANNEXATION CASE NO. ANX2004-000136



NOTICE

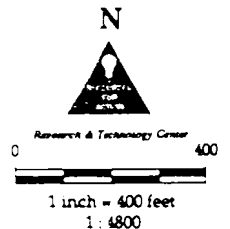
The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14,400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. Copyright 1998

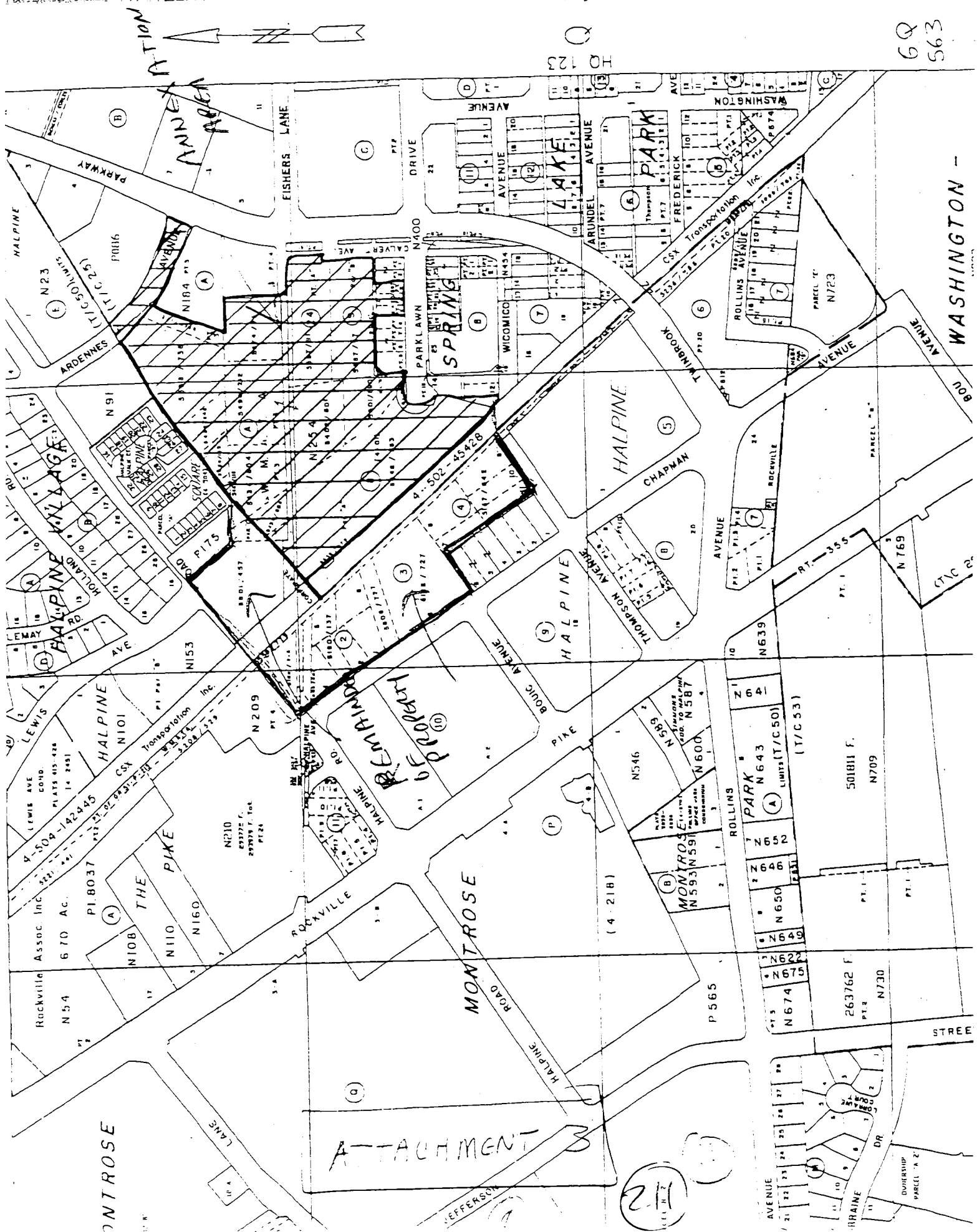
MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 8787 Georgia Avenue - Silver Spring, Maryland 20910-1260

Key Map



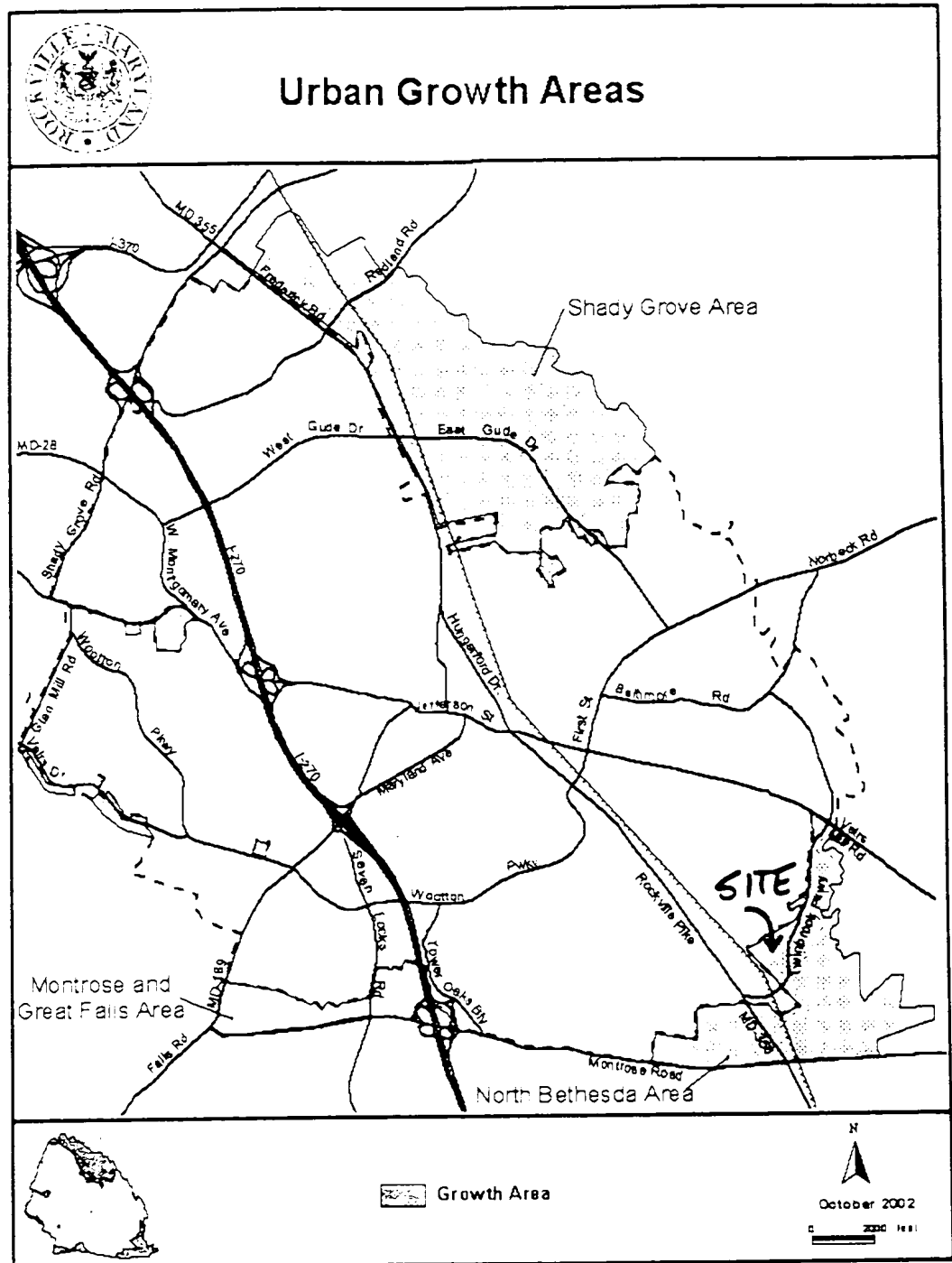
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ATTACHMENT

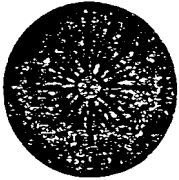
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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Montgomery County Department of Park and Planning

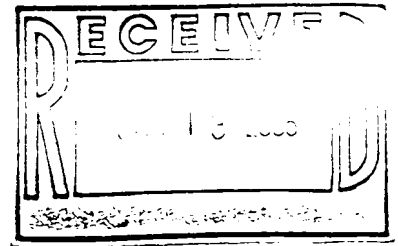
January 13, 2005

TO: Kristin O'Connor, Master Planner
Community-Based Planning Division

VIA: Daniel Hardy, Supervisor *DKH*
Transportation Planning

FROM: Ed Axler, Planner/Coordinator *DKH for*
Transportation Planning

SUBJECT: City of Rockville Annexation Case No. ANX2004-00136
Twinbrook Commons (East)
Twinbrook (Metro Station) Policy Area



This memorandum is Transportation Planning staff's adequate public facilities (APF) review of the subject annexation case based on the Planning Board's requirements for the approval Preliminary Plan No. 1-04054 under the *FY 2004 Annual Growth Policy (AGP)*. Refer to the Attachment No. 1 for the Planning Board's opinion dated May 25, 2004.

FINDINGS

The Transportation Planning staff recommends the following findings as part of the APF test for transportation requirements related to this annexation case:

1. Continue all County APF requirements below approved under the *AGP's* Alternative Procedures for Metro Station Policy Areas:
 - a. Fund the previously identified, Local Area Transportation Review (LATR) transportation infrastructure for improvements at nearby intersections with the equivalent amount that the County would collect for the applicant's developer impact tax.
 - b. Implement the required traffic mitigation program to reduce the number of peak-hour vehicular trips (during the weekday morning and evening peak periods) for a trip reduction goal of 50% of the trips generated by the land uses.

(Signature)

(213)

- c. Adjust the transportation improvements and traffic mitigation program for any change in land uses that would result in more peak-hour trips generated in the critical peak direction during the weekday peak periods (i.e., 6:30 to 9:30 a.m. and 4:00 to 7:00 p.m.).
2. Comply with the Montgomery County Department of Transportation and Public Works (DPWT) standards, the North Bethesda/Garrett Park Sector Plan, and the Countywide Bikeways Functional Master Plan regarding the construction of master-planned roadways and bikeways and adequate pedestrian facilities. Also, comply with the urban design recommendations for streetscaping of master-planned and non-master-planned (i.e., Ardennes Avenue) roads in the Twinbrook area. Connect the County and City pedestrian and bicycle networks (i.e., from the approved Street "B" into the City's Lewis Drive).
3. Participate with the City of Rockville Transportation Management District's programs and activities that are similar to those sponsored by the North Bethesda Transportation Management District.
4. Guarantee the adequate and continuous public use for access and circulation to the annexed segment of Ardennes Avenue's right-of-way. Coordinate with all utility and DPWT representatives for the continued necessary easements regarding the utilities in their current or relocated placement. Delineate all utility easements and show them on a complete record plat of the annexed right-of-way upon completion of the annexation process.

DISCUSSION

The discussion below summarizes prior approved and recommended future regulatory actions, land uses, and traffic mitigation actions. Refer to the Attachment No.2 for further details.

Prior County and Scheduled City Regulatory Actions for Twinbrook Commons East

Montgomery County approvals for Twinbrook Commons East were as follows:

1. Zoning Application No. G-810: Montgomery County Council adopted on January 13, 2004, rezoning the property from the R-90 and I-4 zones to the TS-R zone.
2. Abandonment Case AB-660: Planning Board's hearing held on February 5, 2004, for a small portion of Parklawn Drive.
3. Preliminary plan No. 1-04054: Planning Board approved on May 6, 2004 where the APF review was approved under the AGP's Alternative Review Procedure at Metro Station Policy Area:
 - a. Mitigation of 50% of the weekday vehicular peak-hour trips if the trips were determined from separate stand-alone land uses not located nearby a Metrorail Station.

- b. The applicant's developer impact tax should be used by the County to provide the identified intersection improvements at the following nine intersections:

- Rockville Pike and Montrose Road/Randolph Road
- Rockville Pike and Twinbrook Parkway/Rollins Avenue
- Rockville Pike and Halpine Road
- Rockville Pike and Bou Avenue
- Rockville Pike and Edmonston Drive
- Randolph Road and Parklawn Drive
- Veirs Mill Road and Twinbrook Parkway
- Veirs Mill Road and Aspen Hill Road
- Twinbrook Parkway and Chapman Avenue

The intersection improvements are described in Recommendation No. 2.d. of Transportation Planning memorandum dated April 28, 2004, Attachment No.2.

4. Site Plan No. 8-05011- Planning Board approved on December 9, 2004.

The City of Rockville approval processes for Twinbrook Commons East will include the following:

1. Annexation Petition No. ANX2004-00136- County TS-R to the City's RPC (Rockville Pike Commercial)
2. Sectional Map Amendment Application No. MAP2004-00090
3. Text Amendment No. TXT2004-00213- for an optional method to permit a FAR of 1.9, instead of FAR of 1.5
4. Preliminary Development Plan No. PDP2004-0009- includes a trip reduction agreement and APF approval for 12 years
5. Future Use Permits and final Record Plats

County Approved and City Recommended Land Uses

For Twinbrook Commons East, the County's approved land uses in Preliminary Plan No. 1-04054, Twinbrook Commons East, and also recommended by the City of Rockville include:

- 690 apartments in 6-14 story "high-rise" buildings
- 424 apartments in 4-5 story "mid-rise" buildings
- 140,00 square feet of general ground-floor retail use

These land uses are compatible with those uses for Twinbrook Commons West located in the City of Rockville that includes apartments, general ground-floor retail use, and general office uses.

Active Transportation Projects in the Study Area

Coordinate with the following Maryland State Highway Administration (SHA) and DPWT transportation projects:

1. SHA Contract No. MO8165171, MD 586 (Veirs Mill Road) at Aspen Hill Road intersection reconstruction with a scheduled completion December 31, 2004.
2. SHA No. MO830A11, MD 355/Montrose Road/Randolph Road/CSX Railroad Study seeking funding for Phase II, preliminary engineering.
3. DPWT Facility Planning Project, Phase I, Montrose Parkway East that could impact the improvements at the intersection of Randolph Road and Parklawn Drive.
4. DPWT Facility Planning Project, Phase I, Veirs Mill Road Bus Rapid Transit.
5. DPWT traffic improvement, Rockville Pike at Twinbrook Parkway for a right-turn lane on northbound Rockville Pike with construction scheduled to start in March 2005.

Comparison of Prior County Required with Initially Identified City Transportation Improvements

The City of Rockville staff recommend that the \$3,113,750.00 of the Montgomery County's Transportation Impact Tax be used for intersection, roadway segment, and multi-modal improvements to mitigate the impact of the site-generated vehicular traffic. Based on the initial results from the traffic study prepared for the City, 12 of the 15 analyzed intersections exceeded the City's critical lane volume (CLV)-congestion standards, compared with nine intersections exceeding the County congestion standards. In these 15 intersections that were identified as requiring intersection improvements by the City (i.e., based on the information as of January 10, 2004) and County:

1. Six intersections were identified by both the City and County
2. Three intersections were identified by only the County
3. Three other intersections were identified by only the City

Besides these possible intersection improvements, the City has identified additional bike and pedestrian improvements (i.e., such as a transit center of 2,000 square feet or more, eight-foot sidewalks, five-foot bike lanes, and other amenities).

Non-Local Traffic Movements along Ardennes Avenue

For preliminary plan review, an origin-destination study along Ardennes Avenue was conducted to determine the percentage of non-local vehicular trips between Veirs Mill Road and Twinbrook Parkway. A survey was conducted in February 2004 of the license plate numbers of vehicles turning to or from Ardennes Avenue at Twinbrook Parkway and at Veirs Mill Road. The non-local vehicles observed at both Twinbrook Parkway and Veirs Mill Road ranged from 0% to 10 % of the total volume that indicated few motorists use Ardennes Avenue as a "short cut" between Twinbrook Parkway and at Veirs Mill Road.

Prior County Required and City Recommended Traffic Mitigation

The County approved Twinbrook Commons (East) under the AGP Alternative Review Procedures at Metro Station Policy Areas. Traffic mitigation required that 50% of the external vehicular trips generated by their now-approved land uses be mitigated through travel demand measures. The vehicular trips were determined by using trip-generation rates assuming separate stand-alone uses that are not within walking distance to a Metrorail Station.

For the County, the applicant had prepared a draft Trip Reduction Agreement (TRA) to implement actions to satisfy the AGP mitigation requirements. The trip reduction actions required in the TRA encourage commuters to use alternative transportation modes and discourage them from driving their vehicles alone. Credit was given for the vehicular trips to and from the site (i.e., external trips) that could become internal trips because of the following unique characteristics:

- Where either the trip origin or destination normally would be off the site, a mixed-use development includes both of these land uses on the same site within walking distance and eliminating an external vehicle trip.
- Where close-in frequent transit service may not be available, commuters can easily walk to the Metrorail Station for rail or bus service in lieu of driving their personal vehicles.

In the City, the initial total number of external vehicular trips to be mitigated represents the unique characteristics of a "mixed-use development" that is within walking distance to a Metrorail station – or included the credit for the potential reduction of external vehicular trips. Thus, the City starts with a lower average trip reduction goal that they estimated to be approximately 35% and 24% in the morning and evening peaks, respectively.

Transportation Management District

The City of Rockville has been a member of Transportation Action Partnership for North Bethesda and Rockville, Inc. that operates the North Bethesda Transportation Management District.

EA:gw
Attachments

cc: Sande Brecher
Jim Carson – Commuter Services Section
Mary Goodman
Pat Harris
Chuck Kines
Sandra Marks – City of Rockville
Peggy Schwartz
Mike Workosky- Wells

memo to O'Connor re City of Rock 2004-00136.doc

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MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

Date Mailed: May 25, 2004

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Action: Approved Staff Recommendation
Motion of Comm. Perdue, seconded by
Comm. Bryant with a vote of 4-0;
Comms. Berlage, Bryant, Perdue, and
Robinson voting in favor; Comm.
Wellington absent

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-04054

NAME OF PLAN: TWINBROOK COMMONS

On 01/28/04, TWINBROOK COMMONS, LLC submitted an application for the approval of a preliminary plan of subdivision of property in the TS-R zone. The application proposed to create 1 lot on 16.61348 acres of land. The application was designated Preliminary Plan 1-04054. On 05/06/04, Preliminary Plan 1-04054 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-04054 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-04054.

Approval, Subject to the Following Conditions:

- 1) Approval under this preliminary plan is limited to 1,114 dwelling units (690 high rise and 424 garden apts.) and 140,000 gross square feet of retail
- 2) Compliance with the conditions of approval of the Transportation Planning memorandum dated April 28, 2004
- 3) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits. Final forest conservation plan will be required at Site Plan
- 4) All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Master Plan unless otherwise designated on the preliminary plan
- 5) All road right-of ways shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Master Plan, and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By _____" are excluded from this condition
- 6) Compliance with the conditions of approval of the MCDPS stormwater management approval dated April 26, 2004
- 7) Compliance with the conditions of approval of the MCDPWT letter dated, April 19, 2004

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- 8) Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan
- 9) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff
- 10) Final number of MPDU's as per condition # 7 above to be determined at the time of site plan
- 11) This preliminary plan will remain valid for a 12-year extended validity period beginning from the approval date (the date of mailing of the Planning Board opinion). The phasing schedule will be as follows:
 - a. Phase I: expires 37 months from the approval date – 20,000 square feet of retail and 250 residential units
 - b. Phase II: expires 73 months from the approval date – 30,000 square feet of retail and 250 residential units
 - c. Phase III: expires 109 months from the approval date – 40,000 square feet of retail and 250 residential units
 - d. Phase IV: expires 145 months from the approval date – 50,000 square feet of retail and 364 residential units
- 12) Other necessary easements

(7)

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